

COUNTY GOVERNMENT BILL WAS REPORTED LAST NIGHT

January 17th Again Signalized by a
Move of Great Importance
to Hawaii.

A Careful Synopsis of the New Local Administrative Measure--Republicans Consider and Discuss Changes.

Republicans considered at some length last evening, at the rooms of the Territorial committee, the draft of a county measure submitted to it by the commission appointed under the provisions of the Achi resolution passed by the last Republican Territorial convention. After hearing the report upon the bill read by Chairman W. O. Smith, the committee instructed its sub-committee to have printed, for immediate distribution, 1,000 copies of the bill in English and to have it translated into Hawaiian and printed immediately.

The report containing the summary of the measure excited much comment and Mr. Smith and Mr. Breckons, who assisted as counsel in the framing of the measure, explained many of its provisions, especially those bearing upon the question of taxation. The general impression was that the bill as reported formed a satisfactory basis, and that it would commend itself in its general terms to the people. There will be a caucus today at the rooms of the committee, at which various parts of the bill will be considered in full, and it is thought that this will have the effect of making the measure known and acquainting the members of the committee and the public at large with its provisions, and in this way making friends for the bill.

It is expected that the distribution of the bill will commence with next week, the mails of January 27 carrying copies to the officers of the party in the district and precinct clubs throughout the Islands, and that publication here in full will follow. The matter of the translation will come later, and may be delayed for a week after that time, though the committee will take up the work at once. There was a full attendance of the members of the committee and Republicans generally, and the bill was received with applause when it was presented.

As soon as the meeting had been called to order Mr. Smith was given the floor and made a preliminary statement. He recited the conditions under which the committee was formed and said that the first meeting was held September 29, and that since that time frequent meetings had been held. No less than four drafts had been made of the proposed county bill, and two drafts of the proposed city bill. He then read his report, which is as follows:

REPORT ON COUNTY BILL.

Honolulu, Hawaii, January 17, 1903.

The Republican Territorial Committee, Honolulu, Hawaii.

Gentlemen:—Some time since, at the request of your Committee, we agreed to act as a Commission to prepare a bill providing for county government in the Territory, for presentation to and consideration by, the next legislature.

We beg leave to hand you herewith the bill prepared by us in compliance with your direction. In presenting you the draft prepared, it will perhaps not be amiss to state in a general way the plan of county government intended to be established by it.

We first wish to say that, in the preparation of the bill, it has been our aim to adapt the present laws of the Territory to the new system, in order that, so far as possible, the officers first elected and the people generally shall have for their guide provisions of law with which all are more or less familiar, and many of which have been construed by the courts. In all instances, however, where a complete system of county government necessitated changes, no matter how radical, such changes have been made.

DIVISION INTO COUNTIES.

By the bill prepared the Territory is divided into five Counties as follows: The County of Oahu, being the Island of Oahu, with the County seat at Honolulu.

The County of Maui, being the Islands of Maui, Lanai, Molokai and Kahoolawe, with the County seat at Wailuku.

The County of West Hawaii, being the part of the Island of Hawaii comprised within the districts of Kau, North Kohala, South Kohala, North Kona and South Kona, and all other islands within a limit of three nautical miles of the shores thereof; with the County seat at Kailua.

The County of East Hawaii, being that part of the Island of Hawaii comprised within the districts of Hilo, Puna and Hamakua, and all other islands within a limit of three nautical miles of the shores thereof, with the County seat at Hilo.

The County of Kauai, being the Islands of Kauai and Niihau, with the County seat at Lihue.

Provision is made for changing county seats.

This division conforms exactly to the division of the Territory by the Organic Act into judicial circuits.

These counties are divided into districts for road purposes and jurisdiction of magistrates, the districts and their boundaries being the same as at present.

OFFICERS AND THEIR DUTIES.

The bill provides for the following county officers:

A Board of Supervisors, consisting of five members, county clerk, sheriff, treasurer, tax collector, who is also license collector, recorder, auditor, assessor, surveyor, district attorney, coroner, members of the road board, the road supervisor and district magistrates. All save members of the Board of Supervisors and district magistrates, are to be elected; the bill providing for the appointment of members of the road board by the Board of Supervisors, of the road supervisor by the road board, and of the magistrates by the governor.

All officers first elected or appointed continue in office until January second, 1905, being succeeded by officers elected at the general election in November, 1904, or by appointments made in January, 1905, as the case may be. After that period all officers hold for two years, except members of the Board of Supervisors. As to this board, it is provided that the term of a part only expires each two years, thus insuring a board which always has some members with experience.

The Board of Supervisors is vested with general supervisory powers over all the affairs of the County. The exercise of their powers, particularly with relation to the issuance of bonds, expenditures of moneys, allowance of claims, and creation of debts, is carefully limited, the limitations being of such a nature that any taxpayer has a ready remedy for their abuse. The county clerk is clerk of this board, and keeps all its records; he also performs certain specified duties relative to taxes. The sheriff performs practically the same duties and has the same powers in his county as the high sheriff now has. He has the power to appoint police, whose duties are as now provided. The treasurer is custodian of the funds of the county, and can pay them out only



Chairman W. O. Smith.

on warrants issued by the county auditor by order of the board. The tax collector collects all taxes shown to be due the county, and also all licenses. The recorder performs all duties within his county now performed by the register of conveyances. The auditor audits the accounts of all officers, draws all warrants, and advises the board from time to time as to the financial condition of the county. The surveyor performs all duties usually performed by such officer, and acts also as commissioner of boundaries and commissioner of fences. The district attorney conducts or directs all prosecutions within the county, and represents the county in all civil actions to which it is a party. The coroner performs all duties relative to inquests. The road boards and road supervisor perform the same duties as under existing laws. The jurisdiction of the district magistrate remains the same.

Care has been taken to see that the powers of all officers do not clash in any way.

All officers are required to give bonds,—the members of the board in a fixed sum, and the remainder in a sum to be fixed by the board, to be not less in each instance than a designated sum. In the case of the treasurer and the tax collector, it is made the duty of the board to fix the amount at not less than the greatest amount in the hands of the officer during the year. Sureties on bonds are required to justify under oath, and the officer or board approving the bond may call witnesses relative to the property owned by such sureties. Any officer may give the bond of a surety company which has the authority from the Attorney General of the United States, under Act of Congress, to do business in Hawaii, the premium to be paid by the county. Ample provision is made for the approval, recording and filing of all bonds.

All officers are required to keep their offices at the County seat, and to keep them open during designated hours. The Board of Supervisors meets monthly, and has also power to hold special meetings.

Provision is made for deputies for certain officers.

TAXATION.

As under the provisions of the bill there are two governments,—the territorial and the county,—each of which must be provided with funds, it became necessary to change the tax laws in several respects. The flat rate of one per cent. had to be abandoned, since we could discover no possible method of making division of it between the county and the territory according to the needs of each. The following, briefly stated, is the plan devised by us:

The present laws, in so far as they designate what property is taxable, who shall pay the taxes on such property, the amount of poll tax and who shall be liable thereto, the amount of tax on specific personal property, the amount of income tax and the persons who shall pay the same, the manner of arriving at the valuation of real and personal property, and what persons and property shall be exempt, are continued in force. All property, including incomes, must be listed for taxation with the assessor by January 20th in each year, after which date it will be listed by the assessor, and the person liable thereto deprived of any right of appeal. The assessor must complete his assessment roll by the end of March, and deliver it to the Board of Supervisors. That board, sitting as a Board of Equalization, proceeds to equalize the assessment, holding for that purpose two meetings,—one of not more than six days commencing the first week in April, and the other not more than fifteen days, commencing the last week in April. At the first meeting the board lowers or raises the value of all property, including incomes, which it believes to be unfairly valued, whether the valuation be placed on it by the property owner or by the assessor on failure of the owner to make return. Notices of all increases is given, and the second meeting of the board is for the purpose of passing on the complaints of all persons feeling themselves aggrieved; the right to make such complaint, however, being confined to persons who have made returns. Appeal to the Supreme Court is provided for, together with a method for the return to the taxpayer of the excess of tax paid, should he prevail on his appeal.

Immediately upon the completion of the equalization, the county clerk prepares a tax list, showing the amount due, on income tax, poll tax, specific tax on personal property, and insurance tax, and delivers this list to the tax collector by the first Monday in June. All of these taxes become delinquent on June 30th. The county clerk also prepares an abstract of all real and personal property and the value thereof as equalized, by the board, and forwards the same to the auditor of the territory. Upon receipt of abstracts from all counties, the auditor, treasurer and secretary, sitting as the Territorial Board of Equalization, proceed to equalize the assessment in so far as territorial purposes are concerned. They have power to raise or diminish the aggregate valuation of any county, by a fixed per cent.—a power given them in order to prevent low valuations by any county with a view of escaping its just portion of territorial taxes. The board then determines what number of mills must be levied on all of the property taxed according to valuation, in order to produce funds to pay the expenses of the territory. When this rate is determined upon, the county clerk is notified thereof, the notice to be received by the first Monday in July. The Board of Supervisors, on the first Monday in July, proceeds to levy the requisite number of mills for county purposes,—that is, a levy which, together with the receipts from poll taxes, specific taxes, income taxes, and from all other sources, including licenses, shall produce sufficient funds to conduct the affairs of the county.

They also make the levy for territorial purposes at the rate determined by the territorial board.

When this is done the county clerk prepares a second tax list, showing the taxes due the county and the taxes due the territory according to such levies. This tax list is delivered to the collector in August, and the taxes shown by it to be due, are delinquent on November 30th. After this last date, the taxes due the territory under the levy for territorial purposes, are paid to the territorial treasurer by the collector of the county.

Proper provision is made for the collection of delinquent taxes by distress and sale of personal property, and the sale by advertisement of real estate. All personal taxes, including income, constitute a lien on any real estate of the person from whom due.

Incomes are assessed according to the calendar year,—a change which will necessitate the taxation in 1904 of but six months' income,—from July 1st to December 31st, 1903.

It will be seen from the foregoing that the changes made in the present laws are about these: All property must be listed in January. The tax on incomes, the poll tax and the specific taxes remain the same, and are delinquent after June 30th. The rate of taxation on all other property is determined by the county and the territory, according to the needs of these two governments; and is delinquent after November 30th.

The inheritance tax law remains intact, and the tax is a territorial revenue.

LICENSES.

In the bill is incorporated all of the present license laws of the territory, with only changes made necessary by vesting jurisdiction over the subject matter in the proper county officers and for the purpose of making the laws general in their application. The tax collector is license collector. All fees are payable to the county.

PUBLIC WORKS AND INSTITUTIONS.

The bill provides for the control by the county of certain public works

(Continued on Page 2.)

HOUSE PASSES A BILL TO MAKE A NEW DEPARTMENT

A Secretary of Labor and Commerce May Soon Sit in the Cabinet.

Sugar Stands Pat--Repair Cable Dutiable.
Saxony's Princess Leaves Switzerland.
Coal Dealers Indicted.

(ASSOCIATED PRESS CABLEGRAMS.)

WASHINGTON, D. C., Jan. 17.—The House has passed the bill constituting a Department of Commerce and Labor.

Seven Deaths From Plague.

MAZATLAN, Jan. 17.—There were seven deaths today from bubonic plague.

Coal Dealers Indicted.

CHICAGO, Ill., Jan. 17.—Forty coal dealers of this city have been indicted for conspiracy to advance the price of coal by holding back supplies.

Chamberlain at Johannesburg.

JOHANNESBURG, Jan. 17.—Joseph Chamberlain was banqueted today by British officials and residents.

Sugar Stands Pat.

SAN FRANCISCO, Jan. 17.—Raw sugar, three and seven-eighths.

Island Postoffice Pau.

WASHINGTON, D. C., Jan. 17.—The postoffice at Keokea, Hawaii, has been discontinued.

Caracas in Trouble.

CARACAS, Jan. 17.—The blockade is severely felt. Money is scarce, flour is short and the bakershops are closing. Rioting is imminent.

Coinage Bill Signed.

WASHINGTON, D. C., Jan. 17.—The President has signed the Hawaiian coinage bill.

Repair Cable Dutiable.

WASHINGTON, D. C., Jan. 17.—The Treasury Department rules that the Pacific repair cable is dutiable.

Elopers Leave Switzerland.

BRUSSELS, Jan. 17.—The Crown Princess of Saxony and Mr. Giron have left Switzerland.

Afternoon Cablegrams of the Associated Press.

ST. PETERSBURG, Jan. 17.—Russia has declined Great Britain's proposal to arbitrate the question of sugar bounties. Russia considers that Great Britain's proposition is an uncalled for interference.

SAN FRANCISCO, Jan. 17.—Five men were killed and many others were fatally injured by the explosion in a gun turret on board the battleship Massachusetts today.

WASHINGTON, Jan. 17.—President Roosevelt has informed the party leaders that he is particularly anxious for this Congress to pass the Cuban treaty and a law that will effectually check the power of the trusts.

NEW YORK, Jan. 17.—The steamer Siggen foundered today off the Pennsylvania coast. The crew was rescued. The Siggen is a small collier.

LONDON, Jan. 17.—Private wireless telegraph dispatches are being daily exchanged over the Marconi system between Canada and England.

BERLIN, Jan. 17.—Representatives of the Crown Prince and Princess of Saxony have arranged for a separation by which the Princess abandons her regal rights and titles and takes her maiden name. The Prince pays her \$7,000 a year.

BERLIN, Jan. 17.—The European Powers have refused to raise the blockade of Venezuelan ports until the Venezuelan government guarantees the security specified by them. Arbitration proceedings are delayed until Castro is again heard from.

SAN FRANCISCO, Jan. 17.—Editor Marriott, who was attacked by Beale and Williams on account of an article appearing in The News Letter, has sued Beale and Williams for \$100,000.

WASHINGTON, Jan. 17.—The hat-trimming tariff claims amounting to \$60,000,000 have been settled for \$3,000,000.